

| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES   |  | Docket Number (Optional) |             | nal)       |
|---|--|--------------------------|-------------|------------|
|   |  |                          | 42          | 2390P12608 |
| I hereby certify that this correspondence is being deposited  | In re Application o  | f                        |             |            |
| with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  July 24, 2006 |  |                          |             |            |
|   | Application Numb   |                          |             |            |
|   | 10/074,771   | 71 02/12/2002            |             | /2002      |
| Signature Julie Dussault  Typed or printed name Julie Dussault  | For: DEVICE TO REMOTELY CONTROL<br>RECORDING OF RADIO AND INTERNET |                          |             |            |
|   | Art Unit Examiner  |                          |             |            |
|   | 2684   | Alan T. Gantt            |             |            |
| Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.  The fee for this Notice of Appeal is (37 CFR 1.17(b))   |  |                          |             |            |
|   |  |                          |             |            |
| Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:  |  |                          |             |            |
| A check in the amount of the fee is enclosed.   |  |                          |             |            |
| Payment by credit card. Form PTO-2038 is attached.  |  |                          |             |            |
| The Director has already been authorized to charge fees in this application to a Deposit Account.  I have enclosed a duplicate copy of this sheet.  |  |                          |             |            |
| The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2666</u> . I have enclosed a duplicate copy of this sheet.   |  |                          |             |            |
| A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.  |  |                          |             |            |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.  |  |                          |             |            |
| I am the  |  |                          |             |            |
| applicant/inventor.   |  |                          | Signature   |            |
| assignee of record of the entire interest.  See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)   | Gregory D. Caldwell, Reg. No. 39,926 Typed or printed name         |                          |             |            |
| attorney or agent of record.  |  |                          |             | 07/24/06   |
| attorney or agent acting under 37 CFR 1.34(a).  Registration number if acting under 37 CFR 1.34(a)  | ·  |                          | <del></del> | Date       |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.  |  |                          |             |            |
| *Total of forms are submitted.  |  |                          |             |            |
|   |  |                          |             |            |

Based on PTO/SB/31 (04-05) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 11/30/2005. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450